

Committee: Strategic Development Committee	Date: 14 th September 2006	Classification: Unrestricted	Report Number:	Agenda Item Number: 7.4
Report of: Corporate Director of Development and Renewal		Title: Planning Application		
Case Officer: Scott Schimanski		Location: 120 – 132 Chrisp Street, London E14		
		Ward: East India and Lansbury		

1. SUMMARY

1.1 Registration Details

Reference No: PA/06/0266

Date Received: 15/2/2006

Last Amended Date: 10/8/2006

1.2 Application Details

Existing Use:

Light industrial, warehouse (B2, B8).

Proposal:

Demolition of existing light industrial buildings and erection of a building comprising 15 storeys plus roof terrace to provide restaurant/café (Class A3) and office/commercial unit (Class A1, A2, A3, B1) on the ground floor with 59 residential units above.

Applicant:

Landview Properties LTD

Ownership:

Landview Properties LTD

Historic Building:

No

Conservation Area:

No

Drawing Numbers

100 Rev B, 101 Rev B, 102 Rev B, 103 Rev B, 104 Rev B, 105 Rev B, 106 Rev B, 130 Rev B, 131 Rev B, 140 Rev B, 141 Rev B, 142 Rev B, 143 Rev B, 144 Rev B, 150 Rev B, 151 Rev A, 160 Rev B, 161 Rev B, 162 Rev B, 700 Rev B, Documents: Planning & Design Statement, TV Reception Study, Daylight & Sunlighting Study dated 7 July, Structural Design Statement, Statutory Utilities Search, Flood Risk Assessment, Sustainable Energy Strategy & Ecohomes Pre-Assessment, Acoustic Report, Environmental Wind Study, Transport Assessment.

2. RECOMMENDATION:

- A. That the Strategic Development Committee **grant** planning permission subject to the conditions outlined below:
- i The satisfactory completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (and other appropriate powers) to include the matters outlined in Section 2.2 below, and the conditions and informative outlined in Sections 2.4 and 2.5 below; and Section 278 of the Highways Act 1980, to include the matters outlined in paragraph 2.3 below.
 - ii That if the Committee resolve that planning permission is granted, the application is first referred to the Mayor of London, pursuant to the Town and Country Planning (Mayor of London) Order 2000, as an application for a new building exceeding 30 metres in height and involving more than 500 residential units
 - iii That if the Committee resolve that planning permission be granted, that the Committee confirms that it has taken the environmental information into account as required by Regulation 3 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.
 - iv That the Committee agree that, following the issue of the decision, a Statement be placed on the Statutory Register confirming that the main reasons and considerations on which the Committee's decision was based, were those set out in the Planning Officer's report to the Committee (as required

**LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT**

Brief Description of background paper:	Tick if copy supplied for register	Name and telephone no. of holder
Application case file, plans and & UDP		Development Control 020 7364 5338

by Regulation 21(1)(c) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

B The execution of a legal agreement under section 106 of the Town and Country Planning Act and section 278 of the Highways Act to secure:

- 1) The provision of 34% affordable housing
- 2) The provision of land in connection with the development of public open space/piazza, on Carmen Street
- 3) Car free development
- 4) Local Labour in construction
- 5) Contribution towards education provisions (£35,000)
- 6) Travel plan
- 7) The provision of disable parking spaces along Chrisp Street

C The conditions outlined below:

- 1 Permission valid for 3 years.
- 2 Full particulars of external materials to be submitted for the Council's written approval prior to the commencement of construction of the development.
- 3 Details of hard and soft landscaping treatment to be submitted for the Council's written approval. The approved landscaping shall be implemented prior to the occupation of any part of the proposed development of any part of the development.
- 4 Landscape maintenance.
- 5 Details of any proposed walls, fences and railings to be submitted for the Council's written approval.
- 6 Details of refuse storage to be submitted for the Council's written approval.
- 7 Details of cycle store to be submitted for the Council's written approval.
- 8 Site investigation regarding any potential soil contamination to be carried out and any remedial work to be agreed in writing by the Council.
- 9 Details of sound insulation/attenuation measures, including for windows, to be submitted for the Council's written approval;
- 10 Building, engineering or other operations including demolition shall be carried out only between the hours of 8.00am and 6.00pm Mondays to Fridays and between the hours of 9.00am and 1.00pm Saturdays and shall not be carried out at any time on Sundays or Public Holidays.
- 11 Any power/hammer driven piling/breaking out of material required during construction/demolition shall only take place between the hours of 10.00am and 4.00pm Monday to Friday and at no other time, except in emergencies or as otherwise agreed by the Council in writing.
- 12 Details of external lighting to be provided.
- 13 The development of the site should not begin until a statement to minimise the impact on Air Quality is submitted to and agreed by the Local Planning Authority for written approval.
- 14 No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water storage capacity during 1 in 100 year conditions has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
- 15 Development shall not commence until details of on site drainage works have been submitted to, and approved in writing by, the Local Planning Authority. No works which result in the discharge of foul or surface water from the site shall be commenced until the onsite drainage works referred to above have been completed as approved.
- 16 No structure should be installed within a distance of 5 metres from the outer edge of the DLRL railway, without prior written consent of DLRL.
- 17 Prior to the commencement of any works, full details of the design and construction methodology shall be submitted to and approved by DLRL.
- 18 During construction the developer is to ensure that any boundary fences are not compromised and that a boundary wall is maintained to stop ingress onto DLRL railway.
- 19 Hours of operation for the commercial office unit 08:00 – 20:00.
- 20 Hours of operation of Class A3 unit 07:30 – 23:00.
- 21 Details of any extract system for the Class A3 unit to be submitted to the Council for approval.
- 22 Full details of the means of access required.

Informatives

- 1 Any development adjacent to DLRL railway is conducted in accordance with the DLRL document entitled 'Guidance for Developers'.
- 2 Precaution must be taken that nothing can fall onto the railway during or after the construction

and demolition, with particular reference to the use of cranes or other equipment used above the height of the railway.

3. BACKGROUND

Site and Surroundings

- 3.1 The application site covers an area of 0.1165 hectares and is situated on the eastern side of Chrisp Street and on the south side of Carmen Street. The Docklands Light Railway (DLR) track runs along its eastern boundary. Formerly a milk depot, the site is now unoccupied and derelict. The state of the buildings on the site has a significant negative impact upon the street scene.
- 3.2 The site adjoins two recently consented schemes, the new DLR station known as Langdon Park and a 17 storey mixed use residential scheme directly to the north known as 71 Carmen Street. This scheme is for 158 dwellings with ground floor commercial space.
- 3.3 Opposite the site, to the western side of Chrisp Street, the area is residential in nature. However, it is relatively industrial to the north and south, with a general existing built form that is similar to the application site. The site is located close to shopping facilities, community services and amenity space and is well served by a range of public transport options. It is in the immediate vicinity of Chrisp Street District Shopping Centre.

Planning History

- 3.4 There is no relevant history on the site.

The Proposed Development

- 3.5 The proposed development involves the demolition of existing buildings on the site and its redevelopment to provide a 15 storey mix use building. The development would accommodate 64.13 sqm of commercial/community floorspace, 180.53sq.m of Class A3 space and 59 residential units comprising 20 one bed, 24 two bed and 15 three bed units. The proposal would include a range of landscaped amenity space including children's play space as well as cycle parking.
- 3.6 The building is a fifteen storey building (height 48.4m) providing commercial and restaurant floor space at ground level and residential above. The building comprises of three components to form a 'U' shape. The first is a five storey block located closest to Chrisp Street. This section contains a commercial unit at ground level with socially rented residential units above. This section will be faced with a dark brick. At fifth floor level is a roof terrace which contains a children's play space and landscaping. The main component of the building is a north-south block which is generally rectangular in shape. Materials include white render for external walls. A covered communal terrace is located at the fifteenth level. The third section of the building is an eleven storey northern wing. This section has a curved north face and also contains a roof terrace. Facing material for the northern wall is aluminium cladding panels. Glass balconies with metal channel trim are located on the east and western elevations.
- 3.7 Of the 59 residential units, 34% would be affordable by floorspace (of which 70% would be social rented and 30% intermediate/shared ownership). The residential density of the proposed development is 589 habitable rooms per hectare (hrh).

4. PLANNING POLICY FRAMEWORK

Comments of Chief Legal Officer

- 4.1 The relevant policy framework against which the Committee is required to consider planning applications includes the adopted Tower Hamlets Unitary Development Plan 1998 (UDP), the adopted London Plan 2004, the Council's Community Plan, the Draft Local Development Framework and Interim Planning Guidance Notes.
- 4.2 Decisions must be taken in accordance with sections 54A and 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 is particularly relevant, as it requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations

4.3 Whilst the adopted UDP 1998 is the statutory development plan for the Borough, it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework (LDF). The emerging policies in the LDF as the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.

4.4 The report takes account not only of the policies in statutory UDP 1998 but also the emerging Local Development Framework which reflect more closely current Council and London-wide policy and guidance.

4.5 In accordance with Article 22 of the General Development Order 1995 members are invited to agree the recommendations set out above which have been made on the basis of the analysis of the scheme set out in this report. This analysis has been undertaken on the balance of the policies set out below and any other material considerations set out in the report.

4.6 The following Unitary Development Plan **proposals** are applicable to this application:

- (1) New Station at Langdon park/Carmen Street

4.7 The following Unitary Development Plan **policies** are applicable to this application:

- | | | |
|------|--------------|--|
| (1) | Policy DEV1 | Urban Design |
| (2) | Policy DEV2 | Environmental Requirements |
| (3) | Policy DEV3 | Mixed Use Development |
| (4) | Policy DEV4 | Planning obligations |
| (5) | Policy DEV6 | Tall buildings outside Central Area Zones |
| (6) | Policy DEV12 | Provision of landscaping |
| (7) | Policy EMP1 | Encouraging new employment uses |
| (8) | Policy EMP2 | Retaining Existing Employment Uses |
| (9) | Policy EMP8 | Encouraging small business growth |
| (10) | Policy EMP10 | Development elsewhere in the Borough |
| (11) | Policy HSG2 | Location of New Housing |
| (12) | Policy HSG3 | Affordable Housing |
| (13) | Policy HSG7 | Dwelling Mix and Type |
| (14) | Policy HSG8 | Mobility housing |
| (15) | Policy HSG9 | Density |
| (16) | Policy HSG16 | Housing Amenity Space |
| (17) | Policy T15 | Location of new development |
| (18) | Policy T17 | Planning standards |
| (19) | Policy S6 | Requirements for new retail development |
| (20) | Policy SCF4 | Location of Primary Health care facilities |
| (21) | Policy SCF6 | Location of facilities |

4.8 The following Local Development Framework Preferred Options **Proposals** are applicable to this application:

Flood Protection Area

4.9 The following Local Development Framework Preferred Options: Core Strategy and Development Control Development Plan (Preferred Options) Document **Policies** are applicable to this application:

- | | | |
|------|-------|--|
| (1) | EE5 | Mixed Use |
| (2) | EE6 | New Office Development |
| (3) | EE7 | Redevelopment/Change of Use of Employment Sites |
| (4) | EE8 | Small and Flexible Workspaces |
| (5) | RT6 | Night Time Economy |
| (6) | HSG1 | Housing Density |
| (7) | HSG2 | Lifetime Homes |
| (8) | HSG3 | Affordable Housing Provisions |
| (9) | HSG4 | Calculating Affordable Housing |
| (10) | HSG5 | Affordable Housing Social Rented/Intermediate Split |
| (11) | HSG6 | Housing Mix |
| (12) | HSG12 | Housing Amenity Space |
| (13) | HSG13 | EcoHomes |
| (14) | TR1 | High density development in areas of good public transport accessibility |
| (15) | TR2 | Parking |

- (16) TR3 Transport Assessment
- (17) TR4 Travel Plans
- (18) TR7 Walking and Cycling
- (19) UD1 Scale and Density
- (20) UD2 Tall Buildings
- (21) UD5 High Quality Design
- (22) SEN5 Disturbance from Demolition and Construction
- (23) SEN6 Sustainable Construction Materials
- (24) SEN7 Sustainable Design
- (25) SEN9 Waste Disposal and Recycling
- (26) SEN10 Contaminated Lands
- (27) SEN11 Flood Protection and Tidal Defences
- (28) OSN3 Landscaping and Trees
- (29) IM2 Social Impact Assessment

4.10 The following Community Plan **objectives** are applicable to this application:

- (1) A better place for living safely
- (2) A better place for living well

5. CONSULTATION

5.1 The following were consulted regarding this application:

(1) **Greater London Authority (GLA)**

The scheme represents a positive contribution to the regeneration of the area. It provides a high-density, good quality design with an acceptable affordable housing provision and housing mix. Additional information concerning servicing of the site and the coordinating and implementation of the piazza, the provision of disabled parking and access, the inclusion of family size units within the market shares and children's play space is required.

Amended plans have been received and demonstrate the inclusion of children's play space, information pertaining to the servicing of the site and the inclusion of family size units within the market component. The implementation of the piazza will be included within planning obligations. Disabled parking will be ensured by way of a S106 agreement.

Amended plans have been sent to the GLA for comment, however at the time of writing this report no response had been received.

(2) **Docklands Light Railway**

The applicant has incorporated DLRL's requirements within the proposal. The DLRL believes that in conjunction with the adjoining scheme, the proposal will enhance the street scene and will create a safer and more attractive approach to the new station. Furthermore, the proposal will encourage use of the new Langdon Park Station. DLRL is extremely supportive of the application.

(3) **Access Officer**

Columns at the base of the tower should be banded or have a cobbled surface at the base. Documentation should be submitted to explain how and why the design is accessible to all.

(4) **Environmental Health**

Contamination

Recommends that any consent granted should be conditioned to ensure that the developer notifies the Council of any potential contamination, odorous or unusual ground conditions encountered during ground works. In addition, the developer of the site must carry out an investigation to classify any waste soil arising from the ground works to allow the citing of an appropriately licensed landfill facility for disposal of the waste.

Daylight & Sunlight

Comments not received prior to completion of report. To be reported in an update report.

Noise

Comments not received prior to completion of report. To be reported in an update report.

(5) **Housing Association Co-ordination Group**

There are no 4 bedroom units on the site with the developer. However, it was noted that the submitted toolkits including 4 bedrooms illustrate a development which is not viable. The rented to intermediate split is 69/31% by habitable rooms. Although the dwelling mix in the open market segment of the scheme does not meeting LDF targets, the overall development provides 34% grant free accommodation.

(6) **Head of Education Building Development**

The daylight and Sunlight Study carried out does not illustrate how the proposal will impact upon Langdon Park School which is located to the east of the site beyond the DLR tracks. The proposed developer should pay contributions for additional school places. The mix of units proposed gives rise to a need for an additional 7 primary school places and 4 secondary school places equalling £161,830. The funding received would be pooled with other contributions to provide additional school places to meet need across the Borough.

(7) **Tower Hamlets Primary Care Trust**

There is no excess capacity in this part of the Borough and a health contribution of £289,122 or £3,639 per unit is requested to mitigate the need for new health facilities.

(8) **Head of Highways**

No objections raised subject to coordination of the construction of the piazza with adjoining re-development project and the construction of the Langdon Park DLR station. Planning obligations are also requested for general highway improvements and a S278 legal agreement to carry out off-site highway improvements.

5.2 Responses from neighbours were as follows:

No. Responses: 3 In Favour: 0 Against: 3 Petition: 0

The objections were on the following grounds:

Landuse

- High street stores should be located within Chrisp Street to operate in conjunction with the Chrisp Street Market
- No need for additional shops and restaurants within the area
- The area is overcrowded and development is occurring on every bit of open space
- Inadequate infrastructure in the area (Doctors and Schools)

Design

- The development is out of character with the low rise housing in the locality
- The development goes against the ethos of Lansbury Estate
- No development in the area should be greater than three storeys

Amenity

- Loss of privacy of adjoining residential properties
- Noise, dust, pollution created during construction
- Impact the development would have upon parking in the area
- The construction of an additional high rise tower in the locality may lead to increases in anti-social behaviour and crime
- The skyline is disappearing as a result of high rise buildings

6. **ANALYSIS**

- 6.1 The key issues in this case are the acceptability of the proposed change of use in light of the Council's employment policies, and the physical impact of the redevelopment proposals on their surroundings with in respect of design, amenity and highways implications. This needs to be considered, in the context of the Council's policies and in the context of the potential for the adjacent major infrastructure that could be provided by Langdon Park DLR Station.

LANDUSE

Langdon Park DLR Station

- 6.2 Of major significance to the proposal is that the Council has made a long standing commitment to support the development of a new Docklands Light Railway station in this area. A new station would improve accessibility and reduce journey times for local people wishing to travel to destinations such as Stratford and Canary Wharf. This project has been supported for some time by local residents. Furthermore, the new station would support new development on the eastern side of the railway.
- 6.3 Docklands Light Railway Limited has secured funding through the Community Infrastructure Fund (CIF) to construct the proposed Langdon Park station. Single Regeneration Budget (SRB) monies are also available for the scheme. DLRL are aware of the application proposal and are fully in support. DLRL and LBTH are keen to ensure that both this and the new station proposals are integrated and interface opportunities are defined and agreed. This is consistent with Policy T1 of the Tower Hamlets UDP and Policy TRN 4 of the deposit draft UDP.

Employment

- 6.4 The proposal is for a redevelopment of a former employment generating site (Milk Depot) for a more intensive mixed use. Although previously an employment generator, the site is not located within a designated employment area and has remained derelict for more than four years. The Adopted UDP employment policies promote employment growth (EMP1) that meets the needs of local people (EMP6). The Council also opposes development resulting in a loss of employment generating uses (EMP2). However, the Council will consider exceptions to EMP2. For example where:
- the loss of employment generating land is made good by replacement with good quality buildings
 - any new development is likely to generate a reasonable density of jobs
 - if the site is no longer suitable for the previous use, and
 - if a site has remained vacant for a reasonable length of time.
- 6.5 Although the application involves the loss of employment generating floorspace, the space is unused and its loss is made good by the creation of a high quality building containing new employment floor space. The employment floorspace proposed is smaller than previous. However, it will accommodate a higher employment density. The proposed uses of the site are also considered to be more compatible with the surrounding residential environment and in line with the Council's housing policies (see below). The removal of the previous industrial use is also favoured given restrictions on servicing and accessibility for goods to and from the site. In this context, the redevelopment of the application site to provide a mixed commercial/residential scheme is acceptable and in line with Policy EMP2
- 6.6 The proposal involves the redevelopment of previously unused land. This principle of redevelopment of the site for a more intensive purpose is therefore in accordance with national planning guidance (PPG3 Housing) which encourages redevelopment of brownfield land and to higher densities where appropriate.
- 6.7 At present the site provides approximately 535 square metres of employment floorspace. However, it is currently vacant. The proposed development would replace this with approximately 245sqm of flexible, high quality employment generating floorspace to be used for both commercial and A3 purposes. Although the proposal provides a reduction in employment floorspace, it is capable of delivering a substantially higher density of jobs than existing. This is because a milk depot only produces a limited amount of jobs in comparison with the number of jobs office and restaurant floor space would create. The proposed commercial units are small in size. However, they provide sufficient space to accommodate services for the needs of the area, particularly pedestrian traffic moving to and from the new DLR station. The units compliment commercial activities further along Chrisp Street (Chrisp Street Market) and will not adversely affect amenity of the residential properties above. The proposed employment generating floor space is therefore considered a far more appropriate form of development in terms of use and accessibility. Consequently it is acceptable in terms of the Council's land use objectives (EMP2).

Housing

- 6.8 The proposed residential use is in line with the objectives of PPG3 which encourages the re-use of under used brownfield sites for housing. This is particularly pertinent at this site which is currently under-utilised yet has significant regenerative potential particularly in the light of its strategically important location adjacent to the site of the proposed Langdon Park DLR Station. The proposed development would deliver substantial regeneration benefits and the residential units proposed, including the high level of affordable accommodation and family units, would make a valuable contribution to local and strategic housing needs in keeping with Policy HSG1 and HSG2 of the Tower Hamlets UDP and HSG 3 of the emerging LDF.

Affordable Housing Component

- 6.9 The proposed development would provide 59 residential units which would be arranged as 20 one bedroom units, 24 two bedroom units and 15 three bedroom units. The proposal seeks to provide affordable housing at a rate of 34% of habitable rooms or 33% of residential floor space, which would equate to 1590 square metres from a total of 4875 square metres. The affordable housing floorspace would be split 70:30 between rented and shared accommodation, producing figures of 1058 sqm (12 units) and 505 sqm (8 units) respectively. The affordable housing would comprise the following dwelling mix:

9 x 1 bedroom units = 45% of units
4 x 2 bedroom units = 20% of units
7 x 3 bedroom units = 35% of units

- 6.10 At 45% for one bed units, the proposal exceeds the Council's recommended provision of one bed units of 20% as demonstrated with Council's emerging LDF. However, the proposal at 35% does exceed Council's requirements for three bedroom units (30%). In support of the proposed mix, the applicant has also demonstrated interest from an RSL (The Places for People Group) which supports the accommodation mix and tenure proposed. In addition, the scheme exceeds Council requirements for three bedroom units within the private component of 25%. The mix proposed is also supported by the GLA and provides a unit mix that would promote a balanced community.
- 6.11 Although the proposed 70:30 split in terms of rented/intermediate housing does not conform with the Council's standard of 80:20, it does conform with the GLA requirements in the London Plan and has been recently accepted elsewhere in the Borough. Overall, an appropriate mix of residential units is proposed and the units comply with the Council's minimum floorspace guidelines. On balance, the proposal is considered acceptable.

Market Component

- 6.12 The draft Local Development Framework requires that the unit mix for any market component of a residential scheme be 25% for 1 bedroom, 50% for 2 bedroom and 25% for 3 bedroom units. The market component proposed comprises:

11 x 1	Bedroom	28% of units
20 x 2	Bedroom	51% of units
8 x 3	Bedroom	21% of units

- 6.13 The proposed market component would provide an adequate range of unit sizes ranging from one bedroom units to family size units. The mix would provide a balanced and sustainable housing mix to ensure adequate choice in housing size is available to all people in the Borough and as such meet the goals of HSG6 of the emerging LDF policy HSG6.
- 6.14 In summary, the proposed housing provision is considered to satisfy the Council's current and emerging housing policies and accords with Government guidance which seeks to create sustainable, mixed and balanced communities. The Greater London Authority has advised that on balance, the proposal is considered acceptable.

Density

- 6.15 The application site is located within the boundary of the Leaside Action Area Framework in the Deposit emerging Local Development Framework which anticipates a residential density of up to 300 habitable rooms per hectare (hrh). The site also has a PTAL score of 3 which would normally permit a residential density of up to 450hrh.

6.16 The site is located in an area of good public transport accessibility, which following construction of the new DLR station, would be improved to a PTAL score of 4 which would normally permit a residential density of 700hrh. The net residential density of the proposed development is approximately 1476 hrh. A higher density residential development is supported in this strategically important location by PPG3, PPG13 and the London Plan. The landmark character of the proposal and its potential role as a catalyst in the regeneration of this part of the Borough would also support the density proposed. Furthermore, the development will not result any of the normal amenity issues associated with a high density scheme, such as:

- Loss of daylight/sunlight
- Loss of privacy
- Inadequate amenity space
- Small unit/room sizes

6.17 Accordingly, the site it is considered appropriate for a development of the scale and density proposed.

Design And Form Of The Development

6.18 The existing buildings are in a state of despair and presently detract from the character and amenity of the area. The buildings facing both Carmen Street and Chrisp Street in particular have a 'deadening' effect on the streetscene. The buildings also prevent the development of the new Langdon Park DLR station. The proposed redevelopment provides an opportunity to significantly enhance this area in both urban design terms and improved access to public transport.

6.19 The design approach seeks to reconcile the opportunity to deliver a landmark building at the site with the need to respect the character of this area. Together with the adjoining scheme (71 Camon Street) to the north, the applicant has designed the scheme to incorporate a tower to "signpost" the anticipated new Langdon Park DLR station. The design helps to define the location of the existing footbridge across the DLR tracks. The building with its stepped design would provide an active frontage to Chrisp Street with an interesting design. The active ground floor uses and a mix of lively employment and residential activity can contribute to the quality of the street environment, increase natural surveillance in the area, and subsequently discourage anti-social behaviour and crime.

6.20 The proposed development has been amended in response to officer's concerns. The amendments included re-modelling of the building to reduce the 'crushed' proportions of the ground floor level, and the introduction of children's play space at 5th floor level. The changes improve the proportions of the building and creates consistency between the proposed and the approved adjoining development to the north. The overall design is considered acceptable and consistent with Policies DEV1 and DEV6 of the Tower Hamlets UDP and Policies UD1 and UD7 of the Deposit Draft UDP

Impact on Residential Amenity

6.21 The massing and layout of the proposed buildings responds positively to the site's urban context and seek to achieve acceptable residential amenity standards in relation to privacy, sense of enclosure and daylight and sunlight within habitable rooms overlooking the central courtyard.

6.22 The daylight and sunlight assessment submitted with the application demonstrates that the proposed development would not result in any unacceptable levels to either existing residential properties or the proposed units located to the north of the site.

6.23 Despite being located adjacent the DLR lines, the site falls within the relatively low Noise Exposure Category "A/B" of PPG24. As such, it is recommended that windows with higher sound attenuation than normal single glazing should be fitted to habitable rooms along with sound attenuating ventilators. Accordingly, subject to the provision of appropriate noise attenuation measures, an acceptable residential environment can be attained at the site for prospective occupiers consistent with the requirements of DEV2.

Amenity Space

6.24 The proposal would provide communal amenity space in the form of a central hard landscaped courtyard and three roof terraces, one at 5th floor level, another at the 11th floor and a final one at the 15th level. In addition, each of the units is served by a private balcony. The proposed amenity space would compliment existing areas of open space in the vicinity of the site, namely Langdon Park to the east and Bartlett Park to the west. The total provision of amenity space is generally consistent with

the Council's standards. In addition, the 5th floor level terrace includes children's play space. This is accessed from the social rented wing of the development.

- 6.25 The arrangement of the proposed scheme is also acceptable to ensure that the privacy of occupiers would not be harmed, whilst the proposed communal and private amenity space is generally consistent Council's standards.

Highways And Parking Issues

- 6.26 The proposed development provides no off street parking. Policy TR2 of Council's emerging LDF suggests limiting the use of individual cars thereby reducing the amount of road traffic. This policy is supported by the London Plan and states that attempts to reduce both on and off-street parking should be made where PTAL rating between 4 and 6 occur. With the construction of the DLR station, the site will have a PTAL rating of 4 and therefore falls within these bounds. To ensure that the scheme does not adversely impact upon street congestion, the developer has agreed to enter into a legal agreement for a car free development. In addition, the developer has also agreed to submit a Travel Plan which demonstrates practical measures that relate specifically to the needs of the development to reduce travel by private vehicle for commuting and encourage more sustainable modes of transport.
- 6.27 The level of parking is therefore in keeping with the standards set out in the Council's policies and is acceptable in view of the site's present public transport accessibility. Servicing and access for refuse vehicles would be via Carmen Street. It is anticipated that an appropriate informal arrangement can be achieved to ensure refuse collection outside of peak pedestrian travel times. In addition, the scheme also provides 1 secure bicycle space for each of the residential units.

Section 106 Agreement

- 6.28 Policy DEV4 of the adopted UDP and Policy EM1 of the emerging LDF make clear that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.
- 6.29 Government advice on the use of planning obligations is set out in Circular 05/2005, which states that planning obligations can take the form of private agreements or unilateral undertakings given by a developer and are *'intended to make acceptable development which would otherwise be unacceptable in planning terms'*. Generally, they should be used in the following three ways: -
1. They may be used to prescribe the nature of the development to ensure it is suitable on planning grounds. For example by requiring a given proportion of housing is affordable.
 2. Secondly, they may require a contribution to compensate against loss or damage that will result from a development. For example loss of open space.
 3. Thirdly, obligations may be used to mitigate the impact of a development. For example through improvements to public transport provision, education and health facilities.
- 6.30 The Circular also makes clear that planning obligations should only be sought where they meet the following tests:-
1. Relevant to planning;
 2. Necessary to make the proposed development acceptable in planning terms;
 3. Directly related to the proposed development;
 4. Fairly and reasonably related in scale and kind to the proposed development, and
 5. Be reasonable in all other respects.
- 6.31 After consultation with the Tower Hamlets Primary Care Trust and the Council's Head of Education Building Development, a combined financial contribution of £450,952 was requested. The education contribution was based on the estimated increased child yield of 11 that would ensue as a result of the development. The medical contribution was based on the population uplift and sought both capital and revenue funding.
- 6.32 After presenting this figure to the applicant, it was claimed that if a payment of such size was made, a significant reduction in the amount of affordable housing would have to be agreed. As such, four toolkit's demonstrating costs were requested.
- 6.33 A tool kit is a cost analysis of a scheme and, the likely revenue it would generate. The kit identifies costs associated with a proposed development and then works out if a proposed scheme is viable.

- 6.34 A Three Dragons Affordable Housing Toolkit as recommended by the GLA, was subsequently submitted. It demonstrated four scenarios, these being:
- Present scheme (34% Affordable Housing)
 - The scheme entirely compliant with council's policies
 - A scheme including some four bed room units
 - A scheme where all requested S106 contributions were included
- 6.35 The submitted toolkits illustrated that for the following reasons:
- The cost of the land
 - Construction costs
 - Handing over a section of the site to the DLR, and
 - The required 34% affordable housing,

A maximum financial contribution of £35,000 for S106 purposes is only possible in this instance. All the other scenarios showed that the development would not be viable in any form.

- 6.36 Although falling short of amounts requested, the proposed benefits associated with the scheme include:
- Improved public transport for the area
 - Regeneration of a disused site, and
 - The general enhancement of the surrounding area.
- 6.37 It is noted, that at present, the proposed approved new DLR station cannot proceed within the removal and subsequent redevelopment of this site. The proposal includes the provision of 34% affordable housing with a mix of one, two and three bedroom units. As stated previously, the application also includes the transfer of land for the construction of the DLR and the creation of a large piazza that would front the station, each of which have financial implications upon the developer. As such, given the submitted information together with the significant benefits created by the redevelopment of the site, the proposed arrangements are considered reasonable and acceptable given that the only viable option within submitted toolkits.

Response to Objectors

- 6.38 In response to concerns that the development will impact upon the privacy of nearby residential properties, the position of the development on the site, together with the width of Crisp Street and orientation of nearby dwellings results in no loss of privacy to occupiers of nearby properties.
- 6.39 In terms of the appearance of the development and the character of the area, the scheme is a contemporary development which will compliment both the recently approved scheme at 71 Carmen Street and the new DLR station.
- 6.40 Although different from existing housing stock, the proposal is expected to enhance the appearance and character of the area. The height and density of the scheme is considered acceptable as it is position adjacent to an approved DLR station, provides adequate amenity space and is within close proximity to two parks.
- 6.41 In response to the lack of infrastructure in the area, if approved the scheme will contribute to the improvements of educational facilities in the area and will allow the DLR to be constructed. Both of these would result in improved infrastructure for the whole community. With respect to the development leading to increases in anti-social behaviour, the development has an active frontage at ground level and an adequate dwelling mix to allow for a more sustainable residential environment. It is noted that noise, dust and pollution created during construction will be controlled by way of condition.

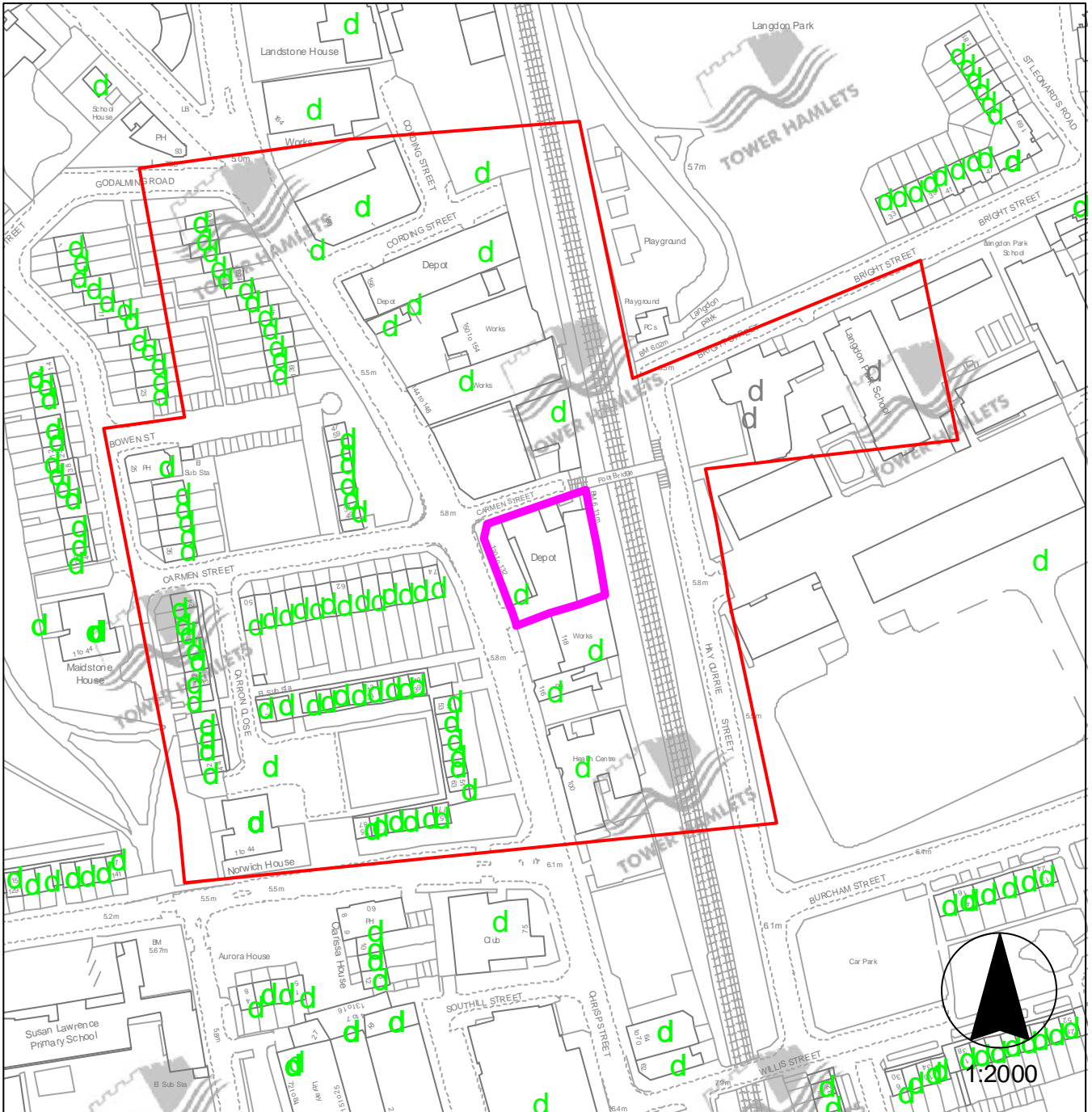
7. SUMMARY

- 7.1 The proposal is generally acceptable when considered in terms of its land use mix and its impact on existing uses. It would deliver employment opportunities and an appropriate mix of residential units, including high proportions of affordable and family sized units. In particular, the affordable housing units proposed would make a valuable contribution to local and strategic need.
- 7.2 The proposal would comprise a high quality piece of contemporary architecture. It would be of a

scale and height that responds to the site's strategic importance, and would also relate to the existing urban context and emerging development in the area. The proposal together with the adjoining residential scheme will enhance the area in urban design terms and could act as a catalyst to stimulate further regeneration both in this part of the Borough, as well as assisting in providing a gateway and signpost to the proposed new DLR station at Langdon Park.

- 7.3 The development is acceptable in policy terms in relation to land use, design, amenity space provision, residential amenity standards, and highways issues including car parking and access. Accordingly it is recommended that planning permission be granted in line with the recommendations of section 2 of this report.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

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